

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT ROCKFORD ILLINOIS

Thomas Powers
Plaintiff

vs.

Larry Jones, Daniel Segretto, Rick
Bollman, Wes Landawer, and Luis
Castillo,
Defendants

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)
FILED

Case No. 08 C 50071

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)
APR 22 2008

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

MOTION TO APPOINT COUNSEL

Plaintiff Thomas Powers, pursuant to § 1915, requests this court to appoint counsel to represent him in this case for the following reasons:

1. The Plaintiff has limited access to the law library and has limited knowledge of law where he must rely on law clerks to assist him.
2. The issues involved are complex, and are affecting the health of the Plaintiff.
3. The complaint in this case alleges that the Plaintiff is and remains subjected to on-going violations of the Plaintiff's First Amendment rights to his "free exercise" of religion particularly his religious diet and retaliation for his right to redress grievances.
4. This is a complex case because it contains several different legal claims with each claim involving a different set of defendants.
5. The case involves on going retaliation claims and injunctive orders to stop the ongoing constitutional violations of the free exercise of his right to express his religion.
6. The Plaintiff has demanded a jury trial.
7. The case will require discovery of documents and depositions of a number of witnesses.
8. The case may also may be classified as a class suit after discussion with counsel, due to defendants are violating the rights of numerous inmates at Dixon Correctional center.
9. The testimony will be sharp conflict, since the plaintiff alleges the the defendants violated his first amendment of his right to exercise his religion and his right to redress grievances without retaliation.
10. The Plaintiff has only a high school education with limited college classes.
11. The Plaintiff is serving a 25 year sentence. in which his case has and is on remand in Winnebago County with appointment of counsel, and has limited access to legal materials and investigating the facts of the case particularly depositions.

WHEREFORE, THE PLAINTIFFS REQUESTS APPOINTMENT OF COUNSEL.

Respectfully,

Thomas Powers

MICHLING HOFMANN VINTON PLAZA & WICK PC
Attorneys at Law

*Peter D. Michling • Daniel T. Hofmann • Norman D. Vinton • Edwin M. Plaza • Melissa A. Wick
Angela C. Thuma • Paige D. Hoyt • William J. Bligh • Courtney M. Clark
of Counsel • Craig S. Krandel • Martin J. Coonen • Richard D. Hannigan • John W. Gaffney*

March 14, 2008

Tom Powers - #N91586
Dixon Correctional Facility
2600 N. Brinton
Dixon, IL 61021

Dear Mr. Powers:

I am writing to follow up on your January 31, 2008 letter.

While I appreciate your correspondence, and it appears to be that you are seeking my assistance, I must advise you that anytime I represent inmates, I am appointed by the Federal Courts. In other words, the Federal Court appoints me as counsel for inmates on a case by case basis. Therefore, I am not hired directly by individuals, and I cannot assist you at this point in time.

I would encourage you to work through the court system to secure a court appointed attorney.

I apologize for the delay in responding and wish you only the best in the future.

Sincerely,


Michling Hofmann Vinton Plaza & Wick PC

Peter D. Michling

PDM/tlf

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BRENT D. HOLMES
H. KENT HELLER
DAVID STEVENS
FRED JOHNSON
JASON M. CROWDER
MARK E. BOVARD

HARLAN HELLER
RETIRED

LAW OFFICES OF
HELLER, HOLMES & ASSOCIATES, P.C.
A PROFESSIONAL CORPORATION
1101 BROADWAY
P.O. BOX 889
MATTOON, ILLINOIS 61938-0889
(217) 235-2700
FAX NO. (217) 235-0743



April 4, 2008

LEGAL MAIL

Mr. Tom Powers, #N91586
Dixon Correctional Center
2600 N. Brinton Ave.
Dixon, IL 61021

Re: Civil Rights Claim

Dear Mr. Powers:

As a result of my work with Hepatitis C inmates, I do not have sufficient time to assist you. Further, I have no experience whatsoever in Religious Land Use and Institutionalized Persons Act of 2000 cases. Thank you for considering our firm to be of service, but I must decline this employment.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kent Heller", is written over the typed name.

H. Kent Heller

HKH/kjs
c:powers ltr/kjs04042008